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EXCOM 9038-80

20 March 1980

MEMORANDUM FOR: Executive Committee Members

STATINTL FROM :

Special Assistant to the DDCI

SUBJECT : Minutes of Executive Committee Meeting,
11 March 1980

1. The DCI called a special session of the Executive Committee on 11 March 1980 to discuss the Agency's position on several pending STATINTL intelligence charter issues. The DDCI and Messrs. McMahon (DDO), Stein (ADDO), Silver (GC), Hitz (LC), Taylor (ADDS&T), Hart (ADDA), [ ] (D/Compt.), Briggs (IG), and [ ] (NFAC rep.) attended. (U)　　　　STATINTL

2. Mr. Silver led the discussion regarding the pros and cons of the various legislative and executive positions on the issue of prior notification of "special activities." While the Agency could be amenable to prior notification, the Administration sees this issue as one of Congressional intrusion into Executive decision-making authorities. If an Agency position had to be presented to the Vice President this week, the Committee agreed to advise the Administration to compromise now if it were going to do so. It also agreed that if the House Foreign Affairs Committee voted in favor of the Zablocki position on this issue, the Agency would also support that position. (AIUO)

3. Two interwoven issues are involved in the question of the degree of Congressional access: Should the charter require the Agency to give Congressional Oversight Committees advance notice of significant intelligence collection operations and should it give the Committees unrestricted access to all information in the Agency's possession? Mr. Silver advised that the Agency should suggest reverting to the language in Executive Order 12036 on these issues and treat covert action activities as a separate category. The DCI asked Mr. Silver to provide him the wording he would need for his testimony on these questions. (AIUO)

4. Regarding relief from FOIA, Mr. Silver led the discussion on the pros and cons of the alternatives being considered. The DCI concluded that if the Department of Justice can win Congressional and ACLU support for its proposal, the Agency will not object to it. Otherwise, the Agency will stand by its own proposal. (AIUO)

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5. Mr. Hitz concurred with the pros and cons of the various charter positions outlined by Mr. Silver and noted Congress would be amenable to delaying the DCI's testimony on this topic to give the Administration time to clarify its position. If the DCI did testify as scheduled and there were no change in the Administration position, Mr. Silver suggested that the Agency play down this issue as much as possible. (AIUO)

6. The DCI adjourned the meeting. (U)

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cc: GC (Mr. Silver)
    LC (Mr. Hitz)
    IG (Mr. Briggs)